

Attorney Docket 55121-88011

Amendments to the Claims:

This listing of claims will replace all prior versions, and listing of claims in the application.

Listing of Claims:

Claims 1-75 (cancelled)

Claim 76 (previously presented): A hand-held device for providing promotional opportunities, the hand-held device comprising:

a circuitry, the circuitry having nonrewritable preprogrammed data embedded thereon by a sponsor prior to providing the hand-held device to a user;

a receiver operatively associated with the circuitry, the receiver disposed on the hand-held device for receiving auxiliary data from a source; and

a central processing unit operatively associated with the circuitry and disposed on the hand-held device, the central processing unit comparing the auxiliary data against the nonrewritable embedded preprogrammed data, wherein said central processing unit triggers promotional opportunities for redemption at a point of sale based on the comparison of the auxiliary data against the nonrewritable embedded preprogrammed data.

Claim 77 (previously presented): The hand-held device of claim 76, wherein the source is a display device and the receiver is a photodetector.

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Claim 78 (previously presented): The hand-held device of claim 76, wherein the source is a radio signal source and the receiver is a radio frequency receiver.

Claim 79 (previously presented): The hand-held device of claim 76, wherein the source is a display device and a radio signal source.

Claim 80 (previously presented): The hand-held device of claim 76, wherein the receiver comprises both a photodetector and a radio frequency receiver.

Claim 81 (previously presented): A hand-held device for providing promotional opportunities, the hand-held device comprising:

a receiver disposed on the hand-held device for successive reception of auxiliary data from a source at times scheduled by a sponsor during a single video program or program series;

a memory operatively associated with the receiver and disposed on the hand-held device for storing the auxiliary data and a successive reward data criteria, wherein the successive reward data criteria requires that a user of the hand-held device capture the auxiliary data at the times scheduled by the sponsor during the single video program or program series;

a central processing unit operatively associated with the memory and the receiver for determining whether the auxiliary data matches the successive reward data criteria; and

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a plurality of lights in a sequenced array operatively associated with the central processing unit and disposed on the hand-held device, wherein the plurality of lights are illuminated upon each match of the successive reception of auxiliary data with the successive reward data criteria to visually indicate on the hand-held device the availability of promotional opportunities of a greater value for redemption.

Claim 82 (previously presented): The hand-held device of claim 81, wherein the source is a display device and the receiver is a photodetector.

Claim 83 (previously presented): The hand-held device of claim 81, wherein the source is a radio signal source and the receiver is a radio frequency receiver.

Claim 84 (previously presented): The hand-held device of claim 81, wherein the source is either a display device or a radio signal source, and the receiver comprises a photodetector and a radio frequency receiver.

Claim 85 (previously presented): The hand-held device of claim 81, wherein the plurality of lights are a plurality of LEDs.

Claim 86 (previously presented): The hand-held device of claim 81, wherein the plurality of lights comprise two or more different colored lights.

Claims 87-97 (cancelled)

Claim 98 (previously presented): A method of interactive advertising and promotion, the method comprising:

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providing a hand-held device comprising a circuitry, the circuitry having nonrewritable preprogrammed data embedded thereon by a sponsor prior to providing the hand-held device to a user; a receiver operatively associated with the circuitry, the receiver disposed on the hand-held device for receiving auxiliary data from a source; and a central processing unit operatively associated with the circuitry and disposed on the hand-held device, the central processing unit comparing the auxiliary data against the nonrewritable embedded preprogrammed data, wherein said central processing unit triggers promotional opportunities for redemption at a point of sale based on the comparison of the auxiliary data against the nonrewritable embedded preprogrammed data;

providing a display device for a viewer of an event;

transmitting auxiliary data to the hand-held device, the auxiliary data being associated with the promotional opportunities of a sponsor;

receiving the auxiliary data while viewing the display device;

comparing the auxiliary data against the nonrewritable embedded preprogrammed data; and

triggering the promotional opportunities based on a comparison of the auxiliary data against the nonrewritable embedded preprogrammed data.

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Claim 99 (previously presented): The method of claim 98 wherein the hand-held device resembles a snap-shot camera.

Claims 100-103 (cancelled)

Claim 104 (previously presented): The hand-held device of claim 76, wherein the auxiliary data is subliminally modulated within an active portion of the video signals.

Claims 105-107 (cancelled)

Claim 108 (currently amended): The ~~hand held device~~ method of claim 98, wherein the auxiliary data is subliminally modulated within an active portion of the video signals.

Claim 109 (cancelled)

Claim 110 (previously presented): The hand-held device of claim 76 further comprising a plurality of lights in a sequenced array operatively associated with the central processing unit and disposed on the hand-held device, the sequenced array capable of notifying the user of one or more matches of the auxiliary data against the nonrewritable embedded preprogrammed data.

Claims 111-113 (cancelled)

Claim 114 (previously presented): The hand-held device of claim 76, wherein the auxiliary data is modulated within a video signal in a substantially invisible way.

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Claim 115 (previously presented): The hand-held device of claim 81, wherein the auxiliary data is modulated within a video signal in a substantially invisible way.

Claims 116-117 (cancelled)

Claim 118 (previously presented): The method of claim 98, wherein the auxiliary data is modulated within a video signal in a substantially invisible way.

Claims 119-128 (cancelled)

Claim 129 (currently amended): The ~~method~~ hand-held device of claim 81, wherein the plurality of lights illuminated upon each match of the successive reception of auxiliary data are successively illuminated upon each match of the successive reception of auxiliary data.

Claim 130 (currently amended): The ~~method~~ hand-held device of claim 81, wherein the plurality of lights illuminated upon each match of the successive reception of auxiliary data are sequentially illuminated upon each match of the successive reception of auxiliary data.

Claim 131 (previously presented): A method of interactive advertising and promotion on a display device during presentation of a special program, wherein the special program is a special event or game of skill or chance, the method comprising:

transmitting auxiliary data within a video signal during transmission of the special program to the display device,

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wherein the auxiliary data is associated with one or more sponsors of the special program and the auxiliary data is modulated within the video signal;

receiving the auxiliary data from the display device on a hand-held device while the user of the hand-held device views the special program on the display device;

processing and storing the auxiliary data on the hand-held device to enable a user of the hand-held device to play along with the special program;

playing along with the special event at home by use of the hand-held device; and

providing one or more promotional opportunities to the user of the hand-held device based on playing along with the special event at home by use of the hand-held device, the promotional opportunity redeemable by use of the hand-held device at a point of sale.

Claim 132 (previously presented): The method of claim 131, wherein the auxiliary data is subliminally modulated within an active portion of the video signal.

Claims 133-165 (cancelled)

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RECORD OF THE SUBSTANCE OF THE INTERVIEW

Applicants appointed representatives, attorney Randy L. Canis and employee of assignee Christopher E. Chupp, to meet with the Examiner on August 31, 2005. Applicants representatives met with Examiner Saltarelli and Examiner Tran at 1 p.m. on the aforementioned date for approximately forty minutes.

During the interview, Applicants' representatives discussed new dependent claims from independent claim 76. The Examiners' advised that none of the proposed dependent claims would not further distinguish the independent claim 76.

This record is believed to comply with MPEP §713.04 and 37 CFR §1.133. Applicants encourage the Examiner to contact the undersigned attorney if this record needs to be modified or further supplemented.

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